

Mail Stop 13-2
IAP15 Rec'd PCT/PTO 29 JUN 2006

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 1729-42
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 101584908
INTERNATIONAL APPLICATION NO. PCT/US2005/001138	INTERNATIONAL FILING DATE 13 January 2005	PRIORITY DATE CLAIMED 13 January 2004
TITLE OF INVENTION NON-AQUEOUS COMPOSITIONS FOR TREATMENT OF ORTHOPEDIC DEFECTS AND DELIVERY OF BIOACTIVE AGENTS		
APPLICANT(S) FOR DO/EO/US ROYER		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The U.S. has been elected (Article 31). 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> WO 2005/069837 is attached hereto (23 pages specification, claims & abstract (39 claims), sheets drawings). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation). b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <ol style="list-style-type: none"> b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 To 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 13. a. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 13. b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information. Copy of PCT/IB/308 (Second and Supplementary Notice) and Notification of the Recording of a Change 		

U.S.A	INTERNATIONAL APPLICATION NO. PCT/US2005/001138				ATTORNEY'S DOCKET NUMBER 1729-42																																		
10/584908 <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): 21. <input checked="" type="checkbox"/> Basic national fee \$300.00 (1631)/\$150.00 (2631) \$ 150.00 22. <input checked="" type="checkbox"/> Examination Fee \$0 (1643/2643) \$ 100.00 23. <input checked="" type="checkbox"/> Search Fee \$0 (1640/2640) \$ 250.00 \$100 (1641)/\$50 (2641) \$400 (1642)/\$200 (2642) \$500.00 (1632)/\$250.00 (2632) TOTAL OF ABOVE CALCULATIONS \$ 500.00																																							
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																																							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)			RATE																																		
0 -100	0	/50 =	0.00		\$0.00 (1681)	\$																																	
\$0.00 (2681)																																							
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e).							\$ 65.00																																
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th colspan="2">NUMBER FILED</th> <th># EXTRA</th> <th colspan="3">RATE</th> <th></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>42</td> <td>minus 20 =</td> <td>22 X</td> <td>\$50.00 (1615)/</td> <td>\$25.00 (2615)</td> <td></td> <td>\$ 550.00</td> </tr> <tr> <td>Independent Claims</td> <td>8</td> <td>minus 3 =</td> <td>5 X</td> <td>\$200.00 (1614)</td> <td>\$100.00 (2614)</td> <td></td> <td>\$ 500.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td colspan="3">\$360.00 (1616)/\$180.00 (2616)</td> <td>\$ 180.00</td> </tr> </tbody> </table>								CLAIMS	NUMBER FILED		# EXTRA	RATE				Total Claims	42	minus 20 =	22 X	\$50.00 (1615)/	\$25.00 (2615)		\$ 550.00	Independent Claims	8	minus 3 =	5 X	\$200.00 (1614)	\$100.00 (2614)		\$ 500.00	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)			\$ 180.00
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MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)			\$ 180.00																																
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)																																							
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.																																							
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f). + 0.00																																							
TOTAL NATIONAL FEE =							\$ 1795.00																																
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property +							\$ 0.00																																
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)							\$ 0.00																																
TOTAL FEES ENCLOSED =							\$ 1795.00																																
							Amount to be refunded:																																
							Amount to be Charged:																																

a. A check in the amount of \$1795.00 to cover the above fees is enclosed.
 b. Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees.

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A duplicate copy of this form is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. **CREDIT CARD PAYMENT FORM ATTACHED.**

e. The entire content of International Application No. PCT/US2005/001138 and any U.S. and foreign application(s) corresponding thereto, and US 60/535,802, referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS

Direct all correspondence to:

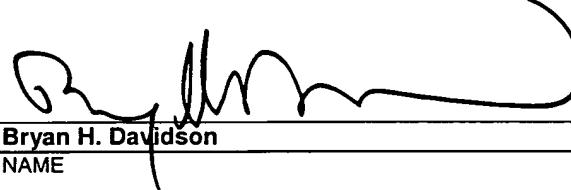
Customer Number:

23117

Type Customer Number here

Telephone: (703) 816-4000

BHD:lmv


Bryan H. Davidson

NAME

30,251

June 29, 2006

REGISTRATION NUMBER

Date